

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Antonio ESPARZA-Perez

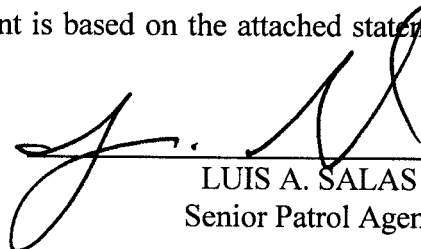
Defendant.

) Mag. Case No. **'08 MJ 8596**
)
) COMPLAINT FOR VIOLATION OF:
)
) Title 8, U.S.C., Section 1326
) Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about June 30, 2008, within the Southern District of California, defendant Antonio ESPARZA-Perez, an alien, who previously had been excluded, deported, or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


LUIS A. SALAS
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 2ND DAY OF JULY 2008.


PETER C. LEWIS
United States Magistrate Judge

1 UNITED STATES OF AMERICA
2 v.
3 Antonio ESPARZA-Perez

4 STATEMENT OF FACTS

5 The complainant states that this complaint is based upon the
6 statements of the apprehending Border Patrol Agent (BPA), C.
7 Nonas-Truong, that the Defendant was found and arrested on June
8 30, 2008, approximately two miles east of Calexico, California.

9 On June 30, 2008, at approximately 9:25 p.m. BPA Truong
10 approached the individual and identified himself as a United
11 States Border Patrol Agent. BPA Truong conducted a field
12 immigration interview with the individual in order to determine
13 his immigration status. Antonio ESPARZA-Perez stated he is a
14 citizen of Mexico illegally in the United States. BPA Truong
15 placed ESPARZA under arrest.

16 Record checks revealed an Immigration Judge ordered ESPARZA
17 deported to Mexico on November 3, 1999, from the United States.
18 Record checks also revealed that ESPARZA has a criminal history.

19 There is no evidence ESPARZA has ever applied to the
20 Attorney General of the United States for permission to re-enter
21 the United States after having been deported, excluded, or
22 removed from the United States.
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